



DOUGLAS A. DUCEY
- GOVERNOR -

VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD
9535 E. DOUBLETREE RANCH RD., STE. 100 ♡ SCOTTSDALE, ARIZONA 85258
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VETBOARD.AZ.GOV

MINUTES

July 20, 2016

Board Room, at 8:30 a.m.

9535 E. Doubletree Ranch Rd., Board room

Scottsdale, Arizona 85258

BOARD *TELEPHONIC* MEETING

Members Present: Mr. Jim Loughhead, Ms. Nikki Frost, CVT, Dr. Les Hatfield, Ms. Jessica Amend, Dr. Sarah Heinrich, Dr. Darren Wright (joined call at 9:35a.m.), Dr. Christina Bertch-Mumaw, and Ms. Julie Young.

Members Absent: Dr. J. Greg Byrne.

Staff and Legal Counsel Present: Ms. Victoria Whitmore, Executive Director; Ms. Sunita Krishna, Assistant Attorney General (A.A.G.); and Ms. Tracy Riendeau, CVT, Senior Medical Investigator.

I. CALL TO ORDER

Roll call: Dr. Bertch-Mumaw at 8:30 a.m.

II. INFORMAL INTERVIEWS AND BOARD DELIBERATION

1. 16-58: In Re: Arden Andersen, DVM.

Dr. Andersen was present with attorney, Ms. Terri Buccino, made statements and answered questions. Ms. Kennedy Wilmot was present, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Bertch-Mumaw to find Dr. Andersen in violation of:

- **A.R.S. § 32-2233 (B) (3)** as it relates to **A.A.C. R3-11-502 (L) (7) (a) and (b)** for failure to document the concentration and amount of isoflurane administered to the rabbits on November 16, 2016.
- **A.R.S. § 32-2232 (18)** as it relates to **A.A.C. R3-11-502 (E)** for failure to ensure that the pet owner had adequate discharge instructions detailing the care of the rabbits after discharge.
- **A.R.S. § 32-2232 (12)** as it relates to **A.A.C. R3-11-501 (1)** for failure to communicate to the pet owner that he felt Alfa was a female and for staff advising that there were no pain medications available for rabbits.

Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughead, aye; Ms. Young, aye; and Dr. Wright, absent. Motion passed 7 ayes, 2 absent.

2. 16-43: In Re: Melvin Pence, DVM. Continuance of Informal Interview of June 15, 2016, for the purpose of receiving additional information and reviewing and possible action to approve proposed Findings of Fact, Conclusions of Law and adopting an Order.

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. to adopt the draft Conclusions of Law including the new proposed draft language to no. 12. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughead, aye; Ms. Young, aye; and Dr. Wright, absent. Motion passed 7 ayes, 2 absent.

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Amend to adopt the Findings of Fact as drafted. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughead, aye; Ms. Young, aye; and Dr. Wright, absent. Motion passed 7 ayes, 2 absent.

After further discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to issue Dr. Pence an Order that includes a period of **Probation** for one **(1) year** to obtain a total of **eight (8) hours** of continuing education in addition to the statutory requirements for license renewal. Those hours are to include:

- **Four (4) hours** in anesthetic monitoring; and
- **Four (4) hours** in anesthetic complications.

The Order shall also include a **\$200 civil penalty** to be paid before the end of the Probationary term. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughead, aye; Ms. Young, aye; and Dr. Wright, absent. Motion passed 7 ayes, 2 absent.

III. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS

1. 15-77 and 15-103: In Re: Refaat Ishak, DVM. Board may review, discuss, and take action on Motion for Rehearing or Review.

Assistant Attorney General, Michael Raine, was present to provide independent procedural advice to the Board.

- **At 9:42a.m.** a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to go into executive session for legal advice. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 8 ayes, 1 absent.
- **At 9:59a.m.** the Board entered back into open session.

Mr. W. Reed Campbell, attorney for Dr. Ishak, was present and made statements on behalf of Dr. Ishak. Ms. Sunita Krishna, Assistant Attorney General, represented the State and made statements. After discussion and consideration, a motion was made by Dr. Hatfield and

seconded by Dr. Wright to deny Dr. Ishak's Motion for Rehearing or Review and amend Dr. Ishak's Order to add language reflecting how the passing grade for the Veterinary Small Companion Animal Exam will be considered. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 8 ayes, 1 absent.

2.16-19: In Re: Michael Ferrera, DVM. Board may review, discuss, and take action on Continuing Education plan submitted in compliance with Board Order.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Amend to accept Dr. Ferrera's continuing education plan submitted in compliance with his Board Order. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 8 ayes, 1 absent.

3.16-01: In Re: Richard Livingston, DVM. Board may review, discuss, and take action on revised continuing education plan submitted in compliance with Board Order.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Frost to accept Dr. Livingston's revised continuing education plan submitted in compliance with his Board Order. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 8 ayes, 1 absent.

IV. REPORTS, CORRESPONDENCE, REFERRALS AND OTHER BUSINESS

1. Board may review, discuss, and take action on Certified Veterinary Technician application from Krista Wise.

- *At 10:25a.m.* a motion was made by Ms. Frost and seconded by Dr. Bertch-Mumaw to go into executive session for legal advice. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 8 ayes, 1 absent.
- *At 10:28a.m.* the Board entered back into open session.

Ms. Wise was present, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Amend to allow Ms. Wise to sit for the Certified Veterinary Technician exam based on **A.R.S. § 32-2242 (B)**. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, nay; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 7 ayes, 1 nay and 1 absent.

2. Board may review, discuss, and take action on veterinary application.

a. Colin Durham

After discussion and consideration, a motion was made by Ms. Amend and seconded by Dr. Bertch-Mumaw to allow Mr. Durham to sit for the State Veterinary Exam. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 8 ayes, 1 absent.

3. Board may review, discuss, and take action on Certified Veterinary Technician request for special accommodations for State and National (VTNE) examinations.

a. Will Pritchard

After discussion and consideration, a motion was made by Ms. Amend and seconded by Dr. Bertch-Mumaw to approve Mr. Pritchard's request for special accommodations for State and National examinations. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 8 ayes, 1 absent.

4. Board may review, discuss, and take action on denial of Veterinary License for failure to pass the State exam. List available upon request

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to deny licensure to applicants that failed the State exam and authorize Ms. Whitmore to represent the Board if a settlement conference is requested, with her authority limited to denial of licensure. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 8 ayes, 1 absent.

5. Board may review, discuss, and take action on approval of veterinary license pending receipt of license issuance fee.

1. Nicole Chavarry (R)

2. Christina De Armond (R)

3. Cora Hollomon (R)

4. Anastasia Keyser (R)

5. Kaitlin Monson (R)

6. Sarah Woods (R)

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Bertch-Mumaw to approve the above veterinary licenses pending receipt of license issuance fees. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 8 ayes, 1 absent.

6. Board may review, discuss, and take action on August 12, 2016 Certified Veterinary Technician State Exam.

After discussion and consideration, a motion was made by Ms. Amend and seconded by Dr. Hatfield to approve the Certified Veterinary Technician State Exam for August 12, 2016. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 8 ayes, 1 absent.

V. CONSENT AGENDA

A. Approval to take State Veterinary Exam

1. Anderson, Eric (S)

2. Bebawy, Wael (R)

3. Craig, Barbara (E)

4. Ouimette, Renée (R)

5. Parker, Kimberly (E)
6. Simon, Brooke (R)
7. Tremblay, Marlène (R)
8. Adrian, Caryn (E)
9. Benitez, Gabriel (R)
10. Boozer, Tara (E)
11. Schultz, Brittany (R)
12. Clark, Shawn (E)
13. Robertson, Kate (R)
14. Skabroud, Danelle (R)
15. Solis, Jennifer (R)
16. Yauk, Tyla (R)

Approval to take the State Veterinary Exam granted.

B. Approval of Premise Licenses

1. **R2663: Leo Veterinary Care.** New Premise. Felicitas Tantiyanon, DVM.
2. **R2664: Superstition Animal Hospital.** New Responsible Veterinarian, New Owner. Richard Heffelman II, DVM.
3. **R2665: Animal Healing and Wellness Clinic.** New Premise. Paula Medler, DVM.
4. **R2666: San Pedro Veterinary Service.** New Premise. Jeremy Alltop, DVM.
5. **R2667: Round Valley Veterinary Clinic.** New Premise. Michael Cook, DVM.
6. **R2668: Dr. Joy's Mobile Veterinary.** Address Change. John Augustine, DVM.
7. **R2669: Avian & Exotic Animal Clinic of AZ.** Address Change. Todd Driggers, DVM.
8. **R2671: Banfield Pet Hospital #0157.** New Responsible Veterinarian. Catriona Forrest, DVM.
9. **R2672: Altered Tails.** New Responsible Veterinarian. Theresa House, DVM.
10. **R2674: Banfield Pet Hospital #1099.** New Responsible Veterinarian. Catriona Forrest, DVM.
11. **R2676: Animal Medical & Surgical Center.** New Responsible Veterinarian. John Wheeler, DVM.
12. **R2677: Veterinary Specialists of Northern Arizona.** Address Change. Christopher Paige, DVM.
13. **R2679: Vitality Veterinary Services, LLC.** New Premise. Kimberly Gryl, DVM.

Approval of Premise Licenses granted.

C. Approval of Random Premise Inspections

1. **R0331: Encanto Pet Clinic.** Timothy Ireland, DVM.
2. **R0635: Four Paws Veterinary Clinic.** Mary Leuchtenberger, DVM.
3. **R1382: Joseph I. Leveque.** Joseph Leveque, DVM.
4. **R1453: Paws & Claws Animal Care.** Lisa Luna, DVM.
5. **R1475: Novak Animal Care Center.** Christina Innocenti, DVM.
6. **R1558: Colorado River Animal Medical Center.** John McGee, DVM.
7. **R1567: Rosemont Pet Clinic.** John Brett, DVM.

Approval of Random Premise Inspections granted.

D. Approval of Premise Change of Scope Request

1. **R2271: Altered Tails.** Add Mobile Unit. Kellie Ayle, DVM.

Approval of Premise Change of Scope granted.

E. Approval of Premise Name Change Request

1. **R2552: Emergency Animal Clinic** to Blue Pearl Arizona, LLC – Avondale. Wayne Zuvers, DVM.
2. **R2553: Emergency Animal Clinic** to Blue Pearl Arizona, LLC – Phoenix. Aaron Franko, DVM.
3. **R2554: Emergency Animal Clinic** to Blue Pearl Arizona, LLC – Peoria. Sandy Landry, DVM.
4. **R2654: 4 Paws Rehabilitation & Holistic Care** to 4 Paws Rehabilitation & Wellness Clinic. Leonda Armstrong, DVM.

Approval of Premise Name Change Requests granted.

F. Approval of Certified Veterinary Technician Reinstatement

1. Grout, Stephanie

Approval of Certified Veterinary Technician Reinstatement granted.

G. Approval of Temporary Permit

1. Benitez, Gabriel (R)
2. Boozer, Tara (E)
3. Robertson, Kate (R)
4. Solis, Jennifer (R)
5. Yauk, Tyla (R)

Approval of Temporary Permit granted.

H. Approval of Veterinary License

1. Coverdill, Michelle (R)
2. Green, Hannah (R)
3. Helfand, Stuart (E)
4. Jha, Shantibhushan (S)
5. Louis, Sherif (R)
6. Marcus, Zachary (R)
7. Therio, Sarah (R)
8. Sammons, Matthew (R)
9. Schuab, Julia (R)
10. Sluiter, Kristi (S)

Approval of Veterinary License granted.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Amend to approve the Consent Agenda as amended. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 8 ayes, 1 absent.

Items Removed From Consent Agenda

B (4) R2666: San Pedro Veterinary Service. New Premise. Jeremy Alltop, DVM.

B (5) R2667: Round Valley Veterinary Clinic. New Premise. Michael Cook, DVM.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Bertch-Mumaw to approve the above premises pending inspection and compliance. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye.

Motion passed 8 ayes, 1 absent.

B (6) R2668: Dr. Joy's Mobile Veterinary. Address Change. John Augustine, DVM.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Bertch-Mumaw to approve the above premise pending compliance. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 8 ayes, 1 absent.

E (4) R2654: 4 Paws Rehabilitation & Holistic Care to 4 Paws Rehabilitation & Wellness Clinic. Leonda Armstrong, DVM.

Ms. Frost was recused. After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Amend to approve the above name change. Roll call: Dr. Heinrich, aye; Dr. Bertch-Mumaw, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, recused; Dr. Byrne, absent; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed 7 ayes, 1 absent and 1 recusal.

VI. SUMMARY OF CURRENT EVENTS

No current events.

VII. CALL TO PUBLIC

No member of the public wished to speak.

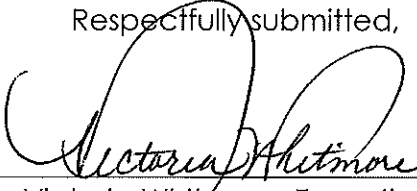
VIII. ESTABLISHMENT OF FUTURE MEETING DATE

The next regular meeting will be held on Wednesday, August 17, 2016, beginning at 8:30 a.m. at 9535 E. Doubletree Ranch Road, Board Room, Scottsdale, Arizona 85258.

IX. ADJOURNMENT

The meeting adjourned at 10:35a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Victoria Whitmore", is written over a horizontal line.

Victoria Whitmore, Executive Director